



*Simon Miller*  
*(212) 885-5467*  
*sjkmiller@blankrome.com*

February 12, 2015

**VIA ECF**

Honorable Lorna Schofield  
United States District Judge  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

RE: Jody Kriss, et al. v. Bayrock Group LLC, et al., Case No. 10 CV 3959  
(LGS)(FM) ("Kriss I") / Jody Kriss, et al. v. Bayrock Group LLC, et al.,  
Case No. 13 CV 3905 (LGS)(FM) ("Kriss II")

---

Dear Judge Schofield:

We represent Frederick Oberlander, Esq. in the above referenced matter ("Oberlander"). We write to request a brief extension of time to respond to the Court's February 1, 2016 Order in which the Court, among other things, directed our client and Richard Lerner, Esq. ("Lerner"), formerly counsel to the Plaintiffs in the above referenced matters to show cause why the Court should not impose certain filing restrictions on our client and Lerner's right to file actions in both federal and state courts.

The February 1, 2016 Order directs all initial briefs to be served simultaneously on February 22, 2016 with responsive briefs to be served on March 7, 2016. In order to permit sufficient time to address what we understand to be the various issues which are implicated by the Court's February 1, 2016, including the serious potential adverse consequences to our client and to accommodate a pre-planned family vacation out of the country, we respectfully request a two week extension to the briefing schedule so that initial briefs are due March 7, 2016 with responsive briefs due March 21, 2016.

We have reached out to counsel for the parties and counsel for the various defendants have each offered their consent. We have not heard back from counsel for the plaintiffs.

The Chrysler Building 405 Lexington Avenue New York, NY 10174-0208  
[www.BlankRome.com](http://www.BlankRome.com)

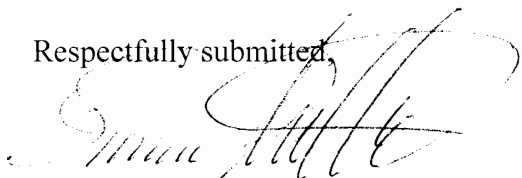
Honorable Lorna Schofield

February 12, 2015

Page | 2

We thank the Court for its kind attention and consideration of our request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Simon Miller", written over the text "Respectfully submitted,".

Simon Miller

Bradley D. Simon, Esq. (by ECF and email)

Richard Lerner, Esq. (by ECF and email)

Walter Saurack, Esq. (by ECF and email)

Michael P. Beys, Esq. (by ECF and email)

Robert Wolf, Esq. (by ECF and email)